

CHRISTINA J. BARNETTE,

Plaintiff,

v.

CITY OF CHARLOTTE,

Defendant.

THIS MATTER IS BEFORE THE COURT on Plaintiff's "Amended Motion For Leave To Amend Complaint & Certification Of Consultation" (Document No. 11) filed March 22, 2012. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the record, and noting that Defendant does not oppose the filing of an amended complaint, the undersigned will grant the motion.

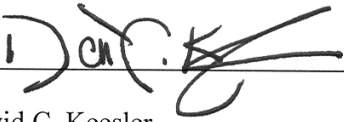
The undersigned further observes that there is also a pending “Plaintiff’s Motion To Strike...” (Document No. 6) in this case, by which Plaintiff requests that the Court strike certain parts of Defendant’s “Answer” (Document No. 2). Without expressing any opinion on the merits of the motion to strike, the undersigned notes that it is well-settled that an amended pleading supersedes the original pleading, and that motions directed at superseded pleadings are denied as moot. See Young v. City of Mount Ranier, 238 F.3d 567, 573 (4th Cir. 2001); Turner v. Kight, 192 F.Supp.2d 391, 397 (D.Md. 2002). Under the circumstances of this case, the Court will deny “Plaintiff’s Motion To Strike...” as moot, and instruct Defendant to timely re-file an answer or other response to Plaintiff’s Amended Complaint.

IT IS, THEREFORE, ORDERED that Plaintiff's "Amended Motion For Leave To Amend


Complaint & Certification Of Consultation” (Document No. 11) is **GRANTED**.¹ Plaintiff shall file her Amended Complaint on or before **March 26, 2011**.

IT IS FURTHER ORDERED that “Plaintiff’s Motion To Strike...” (Document No. 6) is **DENIED AS MOOT**.

Signed: March 22, 2012



David C. Keesler
United States Magistrate Judge



¹ The Administrative Procedures Governing Filing and Service by Electronic Means, revised December 1, 2009, at Part II, Section A, paragraph 8, provide that: “If filing a document requires leave of the Court, such as an amended complaint, the attorney shall attach the proposed document as an exhibit to the motion according to the procedures in IV. If the Court grants the motion, the filer will be responsible for electronically filing the document on the case docket.”